

Mr Derek Ritson
Sent by email only:
planning@mo-ra.co

complaints@croydon.gov.uk

Our ref: RS/CAS-73997-G6H8D7
Date: 15 October 2019

Dear Mr Ritson

Stage 2 Complaint – Planning application 19/01761/FUL for 18A Fairhaven Road

I write further to your email dated 19 August 2019 to the Complaints Resolution Team. Your complaint has been registered at Stage 2 of the Council's complaints procedure and, as Executive Director of the Place department, it is my role to oversee this stage of the procedure. Before I address your concerns, I would like to apologise for the delay in issuing this response.

I understand that your complaint relates to our handling of planning application 19/01761/FUL regarding 18A Fairhaven Road and the subsequent approval at the Planning Committee meeting, held 20 June 2019.

I have had the opportunity to review your case and I will now respond to each of your points in turn.

SPD's (Supplementary Planning Documents)

SPD's regularly influence and inform the decision making process. SPD's, whilst deliberated as other material considerations, are not planning policy, and they are not a set of statutory rules; as the name suggests, they provide guidance to inform suitable design approaches, and are treated as material planning considerations. The Planning Team do take the guidance outlines in to SPD's into consideration

Density

The emerging London Plans seeks to deal with density in a more flexible manner. We are awaiting the outcome and report from its Public Examination. We have not ignored the density matrix and the Planning Officer report detailed the proposed density of the development and how the density matrix calculations were covered within the decision process. There is a current policy, which is informed as a starting point within the density matrix, to determine appropriate densities, which we followed in this case. However, the density matrix is not a determining factor in the decision making process.

We assessed application 19/01761/FUL on its own merits, and felt that the density of the development was acceptable. The application and was fully discussed at the Planning committee meeting, prior to approval.

Approval on the basis 16a and 18a “*looked similar*”

I agree that the two developments do differ in density, due to the proposed number of habitable rooms. However, having reviewed the applications, I agree that the scheme are similar in appearance, which is a consideration taken into account to ensure developments are in keeping with the local area.

Delivery of Housing

The delivery of new housing within Croydon is of primary importance, and is in-line with the London Plan. It is also important that we balance the delivery of housing with infrastructure. We use the Community Infrastructure Levy, which is applied to developments to help fund the necessary growth to the local infrastructure. I do not agree that we can compare Croydon’s targets with those set for the London Borough of Bromley, as it is a different borough, facing its own planning targets and considerations. I am satisfied that we are working to meet our proposed targets regarding the delivery of new housing.

Development fails to provide acceptable off street parking

The development has a car parking ratio of 1 to 1, which meets requirements and allows each property access to personal off street parking space.

The development does not give adequate access to emergency vehicles

I appreciate that the SPD’s do refer to width for emergency vehicle access but, as explained above, SPDs are guidance. Emergency access was discussed at the planning committee meeting, partially regarding the width of the access to the development and, after the committee considered access, they approved the development.

Engagement with the Chaffinch Brook Flood Alleviation Study

I am satisfied that we complied with all the statutory Consultation requirements for this development, and we were not required to engage with the Chaffinch Brook Flood Alleviation Study. Additionally, with Sustainable Urban Drainage (SuDS) being a requirement of the approval of this development, it is likely that surface water draining may improve following the completion of the development.

While I understand you may not agree with this development, the Council’s complaints process cannot be used to overturn a planning decision unless it can be evidenced that the planning process was defective (i.e. material objections were made but not considered) and I can see no reason that the decision should be overturned.

Your complaint has been considered at stage 2 of the Council’s complaints procedure. I hope I have satisfactorily addressed your concerns. However, if you

remain dissatisfied you can ask the Local Government and Social Care Ombudsman to consider your complaint:

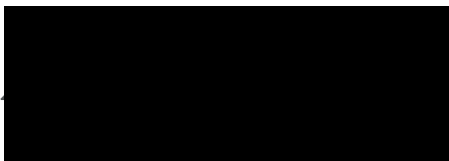
By writing to: The Local Government and Social Care Ombudsman
PO Box 4771
Coventry
CV4 0EH

By telephoning¹: 0300 061 0614

By texting: Text 'call back' to 07624 804 299

By online form: www.lgo.org.uk

Yours sincerely,

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Shifa Mustafa
Executive Director of Place

¹ Calls to 03 numbers will cost no more than calls to national geographic numbers (starting 01 or 02) from both mobiles and landlines, and will be included as part of any inclusive call minutes or discount schemes in the same way as geographic calls

